

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

PETER LORA, et al

1:07 CV 2787

V.

JUDGE DAN AARON POLSTER

DEAN BOLAND

NOTICE OF COMPLIANCE

The court issued an order (Dkt. #29) on May 6, 2008 directing Defendant to make arrangements with the local FBI office to view “non sexually explicit” images of the alleged minor plaintiffs and respond to all of plaintiffs requests for admissions by May 9, 2008 at 4:00 pm. Prior to that order issuing, Defendant had refused Plaintiff’s request to view such images because of the potential that such conduct would violate Special Condition No. 5 of Defendant’s Deferred Prosecution Agreement (Complaint, Exhibit 1) in the event, at some later date, plaintiff establishes that his two minor plaintiffs are among the four Does referenced in Defendant’s Deferred Prosecution Agreement.

In compliance with part of the court’s order, Defendant did provide to Plaintiffs complete answers to all admissions prior to 4:00 pm on May 9, 2008. He did not, however, attend a meeting at the FBI offices in light of the concerns referenced above.

At the May 12, 2008 status conference, either the court or plaintiffs’ arranged for three representatives of the United States Attorney’s Office for the Northern

District of Ohio to be present. The Interim United States Attorney, the First Assistant United States Attorney and an Assistant United States Attorney appeared at the status conference and signed in as attending on a form provided by the court.

During that conference, a representative of the United States Attorney's Office stated to the court that it was no violation of Defendant's Deferred Prosecution Agreement for him to attend a meeting at FBI offices to view the two images referenced in the court's order. (Dkt. #29).

Following that statement by the United States Attorney's Office, Defendant was ordered, again, by the court to attend a meeting at FBI offices by Friday 16, 2008 or that the U.S. Marshal's would arrest Defendant until compliance was accomplished. Further, the court ordered that Defendant provide notice to the court of compliance with the renewed order to attend a meeting at FBI offices and view the aforementioned images. In addition, the court and Plaintiffs' counsel indicated that the cost for the government employees' time, space used for the display or presenting of the images, scheduling the meeting, etc. was not a cost taxed to Defendant or Plaintiffs in connection with the case.

With the United States Attorneys' assurance of no potential violation of the Deferred Prosecution Agreement in the ordered conduct, Defendant attended the meeting today at approximately 4:00 pm. At that meeting, Defendant was shown two images.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing will be
served upon all parties by operation of the court's electronic filing system

/s/ Dean Boland
Dean Boland 0065693